

**AGENDA**



**Recommendation for Council Action**

**AUSTIN CITY COUNCIL**

**Regular Meeting: September 20, 2018**

Item Number: **064**

**Item(s) Referred from Council Committee(s)**

Discussion regarding legal representation for the Board of Adjustment during consideration of interpretation appeals.

**Council Sponsors:** Audit and Finance Committee

<b>Lead Department</b>	Audit and Finance Committee
<b>Fiscal Note</b>	This item has no fiscal impact.
<b>Council Committee, Boards and Commission Action</b>	The item was forwarded to full Council without a recommendation from the Audit and Finance Committee.

**Additional Backup Information:**

At the August 14<sup>th</sup> Audit and Finance Committee meeting a motion to postpone the item made by Mayor Adler with Council Member Troxclair’s second failed on a 2-2 vote. Mayor Adler and Council Member Troxclair voting Aye, Mayor Pro Tem Tovo and Council Member Alter voting Nay. Council Member Pool off the dais.

A motion, made by Mayor Pro Tem Tovo and Council Member Alter’s second, that the Board of Adjustment should retain independent legal counsel during the deliberation process for interpretation cases and Board of Adjustment appeals, and that legal counsel shall have the opportunity to advise or go into executive session with the Board of Adjustment relating to that

appeal failed on a 2-2 vote. Mayor Pro Tem Tovo and Council Member Alter voting Aye, and Mayor Adler and Council Member Troxclair voting Nay. Council Member Pool off the dais.

A motion to forward to full Council without recommendation passed on Mayor Pro Tem Tovo's motion, Council Members Alter's second, with a 4-0 vote. Council Member Pool off the dais.